

REMARKSAdvisory Action

In response to Applicant's question of what new issue requires a further search, it appears that the answer is the addition of the word "formed" in the dependent claims. However, this word has been present in the independent claim since the beginning of the prosecution of this application, and the feature being recited in the dependent claims, the retainer 26 having the integrally formed bumper-contact surface 52, was clearly the same feature being recited in the independent claims. If the Examiner is implying that the dependent claims have not been searched and examined as reciting the integrally formed bumper-contact surface 52 as recited in the independent claim, Applicants question why when the language of the dependent claims, while not previously exactly corresponding to claim 1 language, clearly indicates that that was the intent of the claims.

It is again questioned what new issue requires further search since the scope of the claims has not been changed?

The original 112 rejection of the dependent claims appeared to be that the language of the dependent claims did not correspond to that as set forth in the independent. The non-entered amendments have attempted to resolve that issue.

Now, it appears that the word "SAID" must be used to indicate that the item had already been recited. Applicants have amended the claims to recite "THE integrally formed ...". Nowhere in the other claims has Applicant used "said" to indicate an already recited element, and chooses not to do so now as "said" and "the" are equivalent in indicating antecedent basis issues.

Additionally, while Applicant has changed "an" to "the" in response to the Examiner's requirement, it is asserted that antecedent basis was already properly established in the dependent claims by the recitation of "THE retainer (26) having an integrally formed bumper-contact surface...". All of the dependent claims which recite the contact surface 52 are directed to the retainer 26 and have always recited "THE retainer 26."

35U.S.C. §112

Claims 2, 5, 6, 8, 10 and 13-15 have been rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Claims 2, 5, 6, 8, 10 and 13-15 have been amended to recite "the integrally formed" to

obviate the 112 rejection. Since this is a feature that was previously recited in the independent claims since the beginning of prosecution, the scope of the claims are not being changed.

To advance prosecution, Claim 10 has been deleted for the reasons previously stated. Claim 14 has been amended to correct the dependency so it is not a duplicate of claim 6.

35 U.S.C. § 102(b)

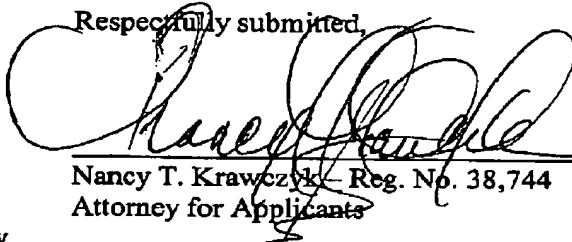
Claims 1-7 and 10-15 have been rejected under 35 U.S.C. § 102(b) as anticipated by, or in the alternative, under 35 U.S.C. 103(a) as obvious over Ecktmann et al (USP 5,201,500). This rejection is respectfully traversed for the following reasons.

Applicant's arguments presented before stand as applicable herein and are incorporated by reference.

To summarize: Ecktmann specifically teaches forming the bumper as a separate element, not as part of the retainer as recited, and as Ecktmann fails to disclose this feature, Ecktmann fails to meet the requirements under 102(b). Regarding the 103 rejection applying Ecktmann, while Ecktmann appreciated the simplification of forming parts integrally, see col. 4, lines 22-27, Ecktmann chose not to do so, instead teaching the use of varying bumper heights for a single air spring to meet different air spring characteristics.

In light of this amendment, all of the claims now pending in the subject patent application are allowable. Thus, the Examiner is respectfully requested to allow all pending claims.

Respectfully submitted,



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